

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/791,084
Confirmation No. 2937

I hereby certify that this correspondence is being transmitted to the United States Patent & Trademark Office via electronic submission or facsimile on the date indicated below:

05/28/2010 /Pamela Gerik/
Date Pamela Gerik

REQUEST TO WITHDRAW NOTICE OF ABANDONMENT

Dear Sir/Madam:

The decision rendered by the Board of Patent Appeals & Interferences was mailed to the undersigned counsel of record on March 29, 2010. In accordance with MPEP 1214, Applicant has two months from the date of the Board decision to take further action. However, the Examiner issued a Notice of Abandonment on April 12, 2010. In a telephone conference with the Examiner on or about April 15, 2010, Mr. Nguyen admitted his mistake and assured me a withdrawal of the abandonment would be forthcoming, but well before the deadline for taking further action of May 29, 2010. To date, no such withdrawal has been received and Mr. Nguyen is not available for interview.

Applicant respectfully requests the incorrectly issued Notice of Abandonment be withdrawn, and the request for continued examination and accompanying amendment filed contemporaneously herewith be entered into the record.

The Commissioner is authorized to charge any fees, if required, to Daffer McDaniel deposit account no. 50-3268.

Respectfully submitted,

/Kevin L. Daffer/

Kevin L. Daffer

Reg. No. 34,146

Attorney for Applicant

Customer No. 35617

Date: May 28, 2010